

Please replace the paragraph on page 17, beginning at line 20 through line 22, with the following paragraph:

Figure 6: The top panel shows an infiltrating cell around a growing collateral artery in a control animal, expressing TGF- $\beta_1$ . In the treated animal, TGF- $\beta_1$  is abundantly present around the growing collateral artery (the bottom panel).

### **REMARKS**

The Office Action objects to Fig. 6 and 7 for poor quality. Attached are three sets of replacement Fig. 6 having two color photos each, along with a black and white photocopy. Also attached are three sets of replacement Fig. 7 each having two color photos, along with a black and white photocopy of replacement Fig. 7.

Fig. 6 contains color photos of the X-ray angiograms of two tissue cross sections of growing collateral arteries with infiltrating cells expressing TGF $\beta_1$  in a control animal and a occlusion treated animal. The color photos are the only practicable media for illustrating the tissue cross sections in order to show the effects of the invention and so the replacement Figure 6 should be acceptable under 37 CFR 1.84.

Fig. 7 contains pictures of two tissue cross sections showing immunolabeled Ki-67 positive cells and nuclei labeled with 7-AAD. Applicants have submitted three sets of replacement Figure 7 and a black-and-white photocopy thereof.

In addition, Applicants have submitted the following:

- (1) a Petition required by 37 CFR 1.84(a)(2) and (b)(2);
- (2) a petition fee set forth in 37 CFR 1.17(h); and

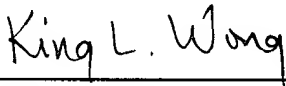
(3) a paragraph inserted before the first paragraph of page 1 of the specification.

The Petition explains that the color photos are necessary to show the effects of the invention because the photos are the only practicable media for illustrating the tissue cross sections in order to show the effects of the invention. For instance, the immunolabeled Ki-67 positive cells were green and the nuclei labeled with 7-AAD were red (see page 17 of the specification).

Withdrawal of the objection to Figs. 6 and 7 is requested.

In the event that the filing of this paper is not deemed timely, applicants petition for an appropriate extension of time. Any petition fee for the extension of time and any other fees that may be required in relation to this paper can be charged to Deposit Account No. 01-2300, referencing Docket No. 025896-00002.

Respectfully submitted,

  
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Enclosures: Appendix;  
Three sets of replacement Fig. 6;  
Three sets of replacement Fig. 7;  
Black and white photocopies of replacement Figs. 6 and 7;  
Petition under 37 CFR 1.84;  
Petition fee

KLW:elp

## APPENDIX

Pursuant to 37 CFR 1.121, a marked up version of the amendment is presented.

### The Specification

Please insert the following paragraph immediately before the first paragraph of page 1.

The patent or application file contains at least one drawing executed in color.

Copies of this patent or patent application with color drawing(s) will be provided by the Office upon request and payment of the necessary fee.

Please replace the paragraph on page 17, beginning at line 20 through line 22, with the following paragraph:

Figure 6: The top panel [6a] shows an infiltrating cell around a growing collateral artery in a control animal, expressing TGF- $\beta_1$ . In the treated animal, TGF- $\beta_1$  is abundantly present around the growing collateral artery (the bottom panel) [6b)].